



AFIDW /
PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:	Hoogland.	Examiner:	Malekzadeh, Seyed Masoud
Serial No.:	10/533,938	Group Art Unit:	1791
Filed:	July 11, 2005	Docket:	294-216 PCT/US
Confirmation No:	9592	Dated:	January 9, 2009
For:	APPARATUS AND METHOD FOR MANUFACTURING HOLDERS, IN PARTICULAR CRATES		

Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

**NOTICE OF APPEAL FROM THE PRIMARY EXAMINER TO THE BOARD
OF PATENT APPEALS AND INTERFERENCES**

Applicants hereby appeal to the Board from the decision of the Primary Examiner,
mailed July 10, 2008, finally rejecting Claims 1-13.

The item(s) checked below are appropriate:

1. STATUS OF APPLICANT

This application is on behalf of

☒ other than a small entity.
☐ small entity.

CERTIFICATE OF MAILING/TRANSMISSION (37 CFR 1.8a)

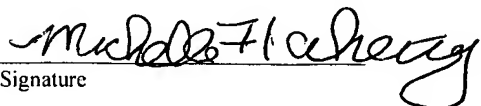
I hereby certify that this correspondence is, on the date shown below, being:

MAILING

☒ Deposited with the United States Postal Service with sufficient
postage as first class mail in an envelope addressed to the
Commissioner for Patents, Alexandria, VA 22313-1450

FACSIMILE

☐ Transmitted by facsimile to the
Patent and Trademark Office


Signature

Date: January 9, 2009

Michelle Flaherty

01/12/2009 HDESTA1 00000043 082461 10533938

01 FC:1401 540.00 DA

2. FEE FOR FILING NOTICE OF APPEAL

Pursuant to 37 CFR 41.20(b)(1), the fee for filing the Notice of Appeal is:

<input type="checkbox"/>	small entity	\$270.00
<input checked="" type="checkbox"/>	other than small entity	\$540.00

Notice of Appeal fee due **\$540.00**

3. EXTENSION OF TERM

The proceedings herein are for a patent application and the provisions of 37 CFR 1.136 apply.

(complete (A) or (B), as applicable)

- (A) ☒ Applicants petition for an extension of time under 37 CFR 1.136 for the total number of months checked below (fees: 37 CFR 1.17(a)-(d)):

	Extension (months)	Fee for Other than <u>Small Entity</u>	Fee for <u>Small Entity</u>
<input type="checkbox"/>	one month	\$ 130.00	\$ 65.00
<input type="checkbox"/>	two months	\$ 490.00	\$ 245.00
<input checked="" type="checkbox"/>	three months	\$ 1,110.00	\$ 555.00
<input type="checkbox"/>	four months	\$1,730.00	\$ 865.00

Fee due for indicated extension **\$1,110.00**

If an additional extension of time is required, please consider this a petition therefor.

(check and complete the next item, if applicable)

- ☐ An extension for ___ months has already been secured. The fee paid therefor of \$___ is deducted from the total fee due for the total months of extension now requested.

- (B) ☐ Applicant believes that no extension of term is required. However, this conditional petition is being made to provide for the possibility that applicant has inadvertently overlooked the need for a petition and fee for extension of time.

4. TOTAL FEE DUE

The total fee due is:

Notice of Appeal fee	\$ <u>540.00</u>
Extension fee (if any)	\$ <u>1,110.00</u>

TOTAL FEE DUE **\$ 1,650.00**

5. **FEE PAYMENT**

☐ Attached is a check in the sum of \$ ____.

☒ Charge Account No. 08-2461 the sum of \$ 1,650.00

A duplicate of this transmittal is attached.

6. **FEE DEFICIENCY**

☒ If any additional extension and/or fee is required or any overpayment has been made, please charge our Deposit Account No. **08-2461** or credit our Deposit Account for such sum.

AND/OR

☒ If any additional fee for claims is required or any overpayment has been made, please charge our Deposit Account No. **08-2461** or credit our Deposit Account for such sum.

Respectfully submitted,



Steven T. Zuschlag
Registration No. 43,309
Attorney for Applicant

HOFFMANN & BARON, LLP
6900 Jericho Turnpike
Syosset, New York 11791
(516) 822-3550
STZ/mf
308129_1.DOC



PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:	Hoogland.	Examiner:	Malekzadeh, Seyed Masoud
Serial No.:	10/533,938	Group Art Unit:	1791
Filed:	July 11, 2005	Docket:	294-216 PCT/US
Confirmation No:	9592	Dated:	January 9, 2009
For:	APPARATUS AND METHOD FOR MANUFACTURING HOLDERS, IN PARTICULAR CRATES		

Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

**NOTICE OF APPEAL FROM THE PRIMARY EXAMINER TO THE BOARD
OF PATENT APPEALS AND INTERFERENCES**

Applicants hereby appeal to the Board from the decision of the Primary Examiner, mailed July 10, 2008, finally rejecting Claims 1-13.

The item(s) checked below are appropriate:

1. STATUS OF APPLICANT

This application is on behalf of

☒ other than a small entity.
☐ small entity.

CERTIFICATE OF MAILING/TRANSMISSION (37 CFR 1.8a)

I hereby certify that this correspondence is, on the date shown below, being:

MAILING

☒ Deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to the Commissioner for Patents, Alexandria, VA 22313-1450

FACSIMILE

☐ Transmitted by facsimile to the Patent and Trademark Office

Signature

Date: January 9, 2009

Michelle Flaherty

2. **FEE FOR FILING NOTICE OF APPEAL**

Pursuant to 37 CFR 41.20(b)(1), the fee for filing the Notice of Appeal is:

<input type="checkbox"/>	small entity	\$270.00
<input checked="" type="checkbox"/>	other than small entity	\$540.00

Notice of Appeal fee due **\$540.00**

3. **EXTENSION OF TERM**

The proceedings herein are for a patent application and the provisions of 37 CFR 1.136 apply.

(complete (A) or (B), as applicable)

- (A) ☒ Applicants petition for an extension of time under 37 CFR 1.136 for the total number of months checked below (fees: 37 CFR 1.17(a)-(d)):

	<u>Extension (months)</u>	<u>Fee for Other than Small Entity</u>	<u>Fee for Small Entity</u>
<input type="checkbox"/>	one month	\$ 130.00	\$ 65.00
<input type="checkbox"/>	two months	\$ 490.00	\$ 245.00
<input checked="" type="checkbox"/>	three months	\$ 1,110.00	\$ 555.00
<input type="checkbox"/>	four months	\$1,730.00	\$ 865.00

Fee due for indicated extension **\$1,110.00**

If an additional extension of time is required, please consider this a petition therefor.

(check and complete the next item, if applicable)

- ☐ An extension for ___ months has already been secured. The fee paid therefor of \$ ___ is deducted from the total fee due for the total months of extension now requested.
- (B) ☐ Applicant believes that no extension of term is required. However, this conditional petition is being made to provide for the possibility that applicant has inadvertently overlooked the need for a petition and fee for extension of time.

4. **TOTAL FEE DUE**

The total fee due is:

Notice of Appeal fee	\$ <u>540.00</u>
Extension fee (if any)	\$ <u>1,110.00</u>

TOTAL FEE DUE \$ 1,650.00

5. **FEE PAYMENT**

☐ Attached is a check in the sum of \$ _____.

☒ Charge Account No. 08-2461 the sum of \$ 1,650.00

A duplicate of this transmittal is attached.

6. **FEE DEFICIENCY**

☒ If any additional extension and/or fee is required or any overpayment has been made, please charge our Deposit Account No. **08-2461** or credit our Deposit Account for such sum.

AND/OR

☒ If any additional fee for claims is required or any overpayment has been made, please charge our Deposit Account No. **08-2461** or credit our Deposit Account for such sum.

Respectfully submitted,



Steven T. Zuschlag
Registration No. 43,309
Attorney for Applicant

HOFFMANN & BARON, LLP
6900 Jericho Turnpike
Syosset, New York 11791
(516) 822-3550
STZ/mf
308129_1.DOC